



Commission Meeting held at the
Michigan Center for Truck Safety – Lansing

APPROVED
September 12, 2007 Meeting Minutes

MTSC Commissioners Present

Jacqueline El-Sayed - Chair
Fred Bueter – Vice-chair
Michael Prince
Robert Powers
James Scalici
Robert McFarland

Guests

Kathy Farnum
Pietro Semifero

Michigan Center for Truck Safety Staff

Mike Irwin
Chris Caswell

MTSC Commissioners Excused

James Van Zoeren
David Zick
Timothy Kaltenbach
James Parrinello

OHSP Staff

Deborah Sonnenberg
Kim Kelly
Steve Schreier

WELCOME AND INTRODUCTIONS – Dr. El-Sayed

I. Call To Order

The MTSC meeting was called to order at 9:03 a.m. by Dr. El-Sayed, Chair.

II. Roll Call

Roll call of MTSC Commissioners was completed with the outcome determining a quorum was present.

III. APPROVAL OF MTSC MINUTES

Dr. El-Sayed called for a motion to approve the minutes from the July 11, 2007, meeting. Motion was made by Mr. Bueter and supported by Captain Powers. Motion carried.

IV. ANNOUNCEMENTS

- Capt Powers announced that Mr. Patrick Muinch has been named Michigan's new Federal Motor Carrier Safety Administration (FMCSA) Administrator. Mr. Muinch was previously Michigan's administrator transferring to Ohio in 2000. When Michigan's Administrator, Mr. Munich was very supportive of the MTSC and the Motor Carrier Division thus his return can be viewed as very positive. No effective date has been announced. Mr. Muinch replaces Mr. Tim Cotter who transferred to Pennsylvania earlier this year. Mr. Jon Dierberger's MCSAP Coordinator position with FMCSA is currently open for applications.
- Mr. Mike Prince announced the Michigan Traffic Safety Summit will take place March 13-15, 2008. Mr. Prince encouraged the Commissioners to submit Session Topics either related to commercial vehicle safety or any other traffic safety topic, i.e., enforcement, drunk driving, public information, evaluation, studies, research, etc. Topic ideas may be submitted to Mr. Prince at 517-333-5301, or Ms. Anne Readett at 333-5317.
- Dr. El-Sayed reported that the Department of State rolled out the new active curriculum for drivers education. Instructors are currently being trained. First class of students to be enrolled in January, with exams taken in the spring.
- Captain Powers stated the southern US border has been opened to Mexican trucks to travel beyond the 25-mile commercial zone. The Mexican border has been opened for US trucks to enter in reciprocity. This initiative has been named the Southern Border Demonstration Project. The project will be phased in gradually and limits the maximum number of carriers participating to 100. Currently, only one Mexican carrier, having a fleet of about six trucks, has been approved to enter the US. We could possibly see a Mexican carrier in Michigan legally soon.

- The MSP-Traffic Safety Division has made guidance material available to all Michigan law enforcement agencies. The FMCSA has established an 800 telephone number that is staffed 24-7 specifically for law enforcement to contact to verify a carriers' authority to operate in the US and answer any other questions.

One important note regarding the Mexican carriers is that they are not to engage in "cabotage," meaning they can not pick up at one point in the US and drop off at another point. They must originate from Mexico and drop off in the US and reload and return back to Mexico. Example, they can not pick up a load in Detroit and drop it off in Chicago.

- Captain Powers shared copies of The Quill, published by Baldwin & Lyons Insurance Company, with the Commissioners. Articles in this publication reinforce the importance of having the Hours-of-Service regulations in place.
- Captain Powers provided a photo copy of the billboard "Seat Belts and Designated Drivers Save Lives," which is a part of the "Responsibility Matters" campaign partnership between MSP and Anheuser Bush, Inc., to promote both safety belt use and responsible drinking. It is planned to erect 144 billboards around the state. Michigan is the third or fourth state to partner with Anheuser Bush in this initiative. Posters are also to be distributed at various locations throughout the state.
- Captain Powers reported that the logging industry in Wisconsin and Michigan, represented by the Timbermen's Association is embarking on federal regulation changes to improve log transportation safety. The Federal Regulations currently allow for crib-type trailers, but do not allow for crib-type vehicles (trucks). The Timbermen's Association has requested FMCSA to amend that particular section of the regulations include vehicle in addition to trailers. Captain Powers requested the Commission send correspondence to FMCSA in support of the association's effort to amend the regulations. Captain stated the Michigan Department of State Police has submitted a letter of support as well as the Wisconsin State Patrol. Dr. El-Sayed called for a general consensus of the Commissioners resulting in unanimous agreement to support the regulation change via correspondence to FMCSA. Dr. El-Sayed and Captain Powers will work together to draft the document.

V. REPORTS

- MCTS Project Director's Report – Mr. Mike Irwin
The 10th Edition of the Truck Drivers Guide Book is now available. Copies were shared with the Commissioners. The guide book has a new look and a new cover and includes a disclaimer on the hours-of-service. Mr. Irwin shared an article written by Mr. Bob Ramels of the U.P. MCTS office that he submitted for the newsletter. Mr. Irwin commented that Mr. Ramels' articles are of the fact and myth style of writing and are very easy to follow and understand. A response received from a woman in Niles, Michigan is testimony that the content of Mr. Ramels' articles are getting through to people.

The MCTS has been acknowledged by the National Safety Council (NSC) for their work on the defensive driving course for the professional truck driver. The NSC's Trend Setter award will be presented on October 13, 2007, in Chicago. Secretary of State, Terri Lynn Land will also be recognizing the MTSC's work during a press conference in Detroit on September 28. The MCTS staff will use the opportunity to promote their Are You Truck Smart program.

Arrangements have been made to have the four, 15 second, "Are You Truck Smart" PSA's play on the information screens at Secretary State Branch offices around the state. MCTS staff is also pursuing television and radio spots to air the PSAs. (PSA video played for Commissioners.)

- OHSP Financial Report – Ms. Kim Kelly
Ms. Kelly reported that most of the carryforward money will be used up, however, not as much as projected, mostly due to the vacant MCTS staff position. Revenue from the Department of State is down from last year by approximately 1 percent. It is still not determined if revenue from the Unified Carrier Registration program will be received this year.

- MTSC Fund Unallotment by the State Budget Office – Ms. Kim Kelly

The state Budget Office has indicated they will reestablish enough of our allotment to cover any of our expenditures this year that were already budgeted. Ms. Kelly reported there should not be any problems covering the contracts/budget of 2007. Next year, FY08, is uncertain. The State does not have an approved budget as yet, thus there is no appropriation to issue grants or spend money. The truck grant has been submitted to the Ad-Board and is expected to be accepted subject to the issuance of an approved appropriation.

Two grants will be carried over into the new year. The Research grant will be extended pending the receipt of information from the Department of State before work can continue, and the USDOT Numbering Project will continue into next year. The Education Center and the Enforcement grants will be established as new grants in FY08.

- Release of Heavy Truck Section of Michigan Traffic Crash Facts – Mr. Steve Schreier

Mr. Schreier discussed and demonstrated the benefits and use of the Traffic Crash Facts Web site. Recently made available, is the segment specifically designated for trucks, "Heavy Trucks." Individuals can access the Web site and query information on all crashes, fatal crashes, and injury crashes by a specific day, week, year, site, etc.

Mike Prince acknowledged Mr. Schreier and the University of Michigan Transportation Research Group in the development and maintenance of this project that was funded with a grant through the Office of Highway Safety Planning. This Web site has won two national awards as the best Web site in the nation for crash data. This site is very sophisticated and a very beneficial tool for law enforcement, researchers, engineers, and even legislators, to learn more about their jurisdictions and where some resources should be directed. The site has received more hits in the last three months than in the past year; obviously the word is getting out about the benefits this site provides.

In response to Captain Powers inquiry if truck and bus crash information could be separated. Mr. Schreier stated a major change would have to be made to the UD-10 Traffic Crash Report form, used by approximately 650 law enforcement agencies, to allow for the differentiation. Many factors must be considered and it is a long and involved process to change the form. Keeping the form to one-page is the primary consideration. The Crash Data User Group is a segment of the GTSAC's Traffic Records Coordinating Committee (TRCC) and is charged with research and development of relevant crash data. Their meetings are open to the public, thus Mr. Schreier offered an invitation to anyone interested to attend. Once all law enforcement agencies go to electronic forms, changes to the UD-10 may be easier to make.

- USDOT Numbering Project – Capt. Robert Powers

Captain Powers reported on the status of the Intrastate USDOT numbering project. The Traffic Safety Division has designated two full-time positions working on this project and has facilitated 11 demonstrations to various industry groups. Over 20,350 mailings have been sent to carriers identified as potentially needing this number. At this time, there are approximately 10,000 to 11,000 Michigan-domiciled carriers that have registered. The goal is to have at least 20,000 registered. The idea was to use a special grant from the FMCSA and the match money from the MTSC to jump-start this program to identify carriers and get them enrolled. Eventually, the program will consist of enrolling only new carriers as they come into business, resulting in resources being scaled back. Captain Powers does not foresee the need for additional grant money to cover beyond the initial grant award. Officers are currently capturing data from trucks stopped/inspected that are on the registration system thus building the database.

- Implementation of Recent Hours-of-Service Court Ruling – Capt. Robert Powers

Approximately two months ago the federal court in District of Columbia threw out a portion of the hours-of-service regulations. The 11-hour rule was determined arbitrary and presented a safety hazard to the motoring public as well as the drivers, a health and safety issue. The court vacated that part of the rule. The court also vacated the 34-hour restart regulation. FMCSA is waiting to see if the industry is going to file to prevent the rules from being vacated. FMCSA has been working with the Justice Department to determine if they should act. As of this day, nothing has happened. If no action is taken by September 14, there will be no hours-of-service regulations. A ruling could be made by this Friday to continue the old rule on an interim basis. Captain Powers will report further at the next meeting.

- Implementation of the Unified Carrier Registration System (UCR) – Capt. Robert Powers
FMCSA has published the final UCR rule in the Federal Register. States previously involved in the SSR program (34 states) can begin to collect the fees under UCR.

Congress also passed, and the President signed as part of the 901 Legislation, to reestablish the SSRS program through the end of this year, or until the UCR becomes effective, whichever comes first. Captain Powers reported that the Department of Labor and Economic Growth's (DLEG) Public Service Commission (PSC), the agency that collects the money on behalf of the state of Michigan, is prepared to collect the fees and plans to send out the billings after Labor Day. Captain Powers advised fees could be received for calendar year 2007 since the program is retroactive to January 2007. A point of interest is that 400 for-hire carriers paid into SSRS. Under UCR those 400 carriers will pay less. Also under the UCR, private carriers must pay, i.e., Wal-Mart, Meijer, Steelcase, etc., in addition to others. Thus, having more companies paying into the system will generate the same amount of money while lessening the burden on the for-hire carriers. Captain Powers stated that even if the UCR fees collected in 2008 are a bit less, the Commission and Motor Carrier enforcement funding would still be covered due to the disbursement method used by the PSC.

VI. ACTION ITEMS

None

VII. DISCUSSION ITEMS

- "Strategies to Reduce CMV Crashes, Fatalities, and Injuries UMTRI – Final Report – Mr. Pietro Semifero
In follow-up to UMTRI's presentation at the July 11 meeting, Mr. Pietro Semifero of OHSP, officially presented the Commissioners with UMTRI's final report. This report is also available on the MTSC Web site. Next year UMTRI will add a study piece from the driver records once all official authorizations to access the information are obtained.

Captain Powers questioned if funding was available for UMTRI to conduct presentations to motor carrier officers. Mr. Semifero stated most likely UMTRI would charge for the service since it is not included in the current grant. Mr. Semifero was asked to contact UMTRI and obtain an estimate to conduct three training presentations in mid-winter to motor carrier officers. Ad Board approval would not be necessary; however, additional expenditures to the grant would have to be approved by the Commissioners. A follow-up report will be added to the November meeting agenda.

- Renewal of MCDD Contract with EATON Corporation – Mr. Mike Irwin
A meeting of Mr. Irwin, Mr. Parrinello, Mr. Prince, and Mr. McFarland was held to discuss the contract renewal with EATON Corporation. The meeting centered around the discussion if the MTSC needs to be involved with the contract since the MCTS has always carried the MCDD funding as a budget line item and could enter into their own contract with EATON same as other MCTS contractors. MTA is reviewing the contract to ensure liability issues are covered. A follow-up meeting with MTA is scheduled at the end of September. Mr. Irwin stated the EATON Corporation is aware that the MCTS budget has not yet been approved for FY08, and agreed that in the event approval is not received by October 1, they would continue the current contract on a month-to-month basis.

Mr. Irwin reported that the Simulator has been at the Davis Cartage Company providing training to Mr. Phil Litner from Baker. It has also been pilot testing the curriculum which has determined the length of training would exceed 2 ½ hours. The unit was also taken to the Teamster's Delegate meeting in Petoskey and the Logging Congress in Escanaba. These two events provided a wide-range of public awareness of the MCTS and the simulator.

VIII. PUBLIC COMMENT

None

Adjournment

The meeting was adjourned at 10:40 a.m.